

### **Remarks**

In response to the non-final Office Action mailed May 19, 2004, the Applicants respectfully request reconsideration of the rejections and that the case pass to issue in light of the amendments above and the remarks below. Claims 1, 2, and 11-20 have been amended by this paper, no claims have been added or canceled. Upon entry of this paper, claims 1-20 will be pending.

The Examiner has set forth the following rejections in the Office Action: (1) The drawings are objected to for failing to include reference numeral 70 mentioned in page 8 of the specification; (2) Claims 6, 11, 16, 19, and 20 are rejected under 35 U.S.C. § 112, second paragraph; (3) Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S.P.N. 6,196,613 to Arai (hereinafter the Arai patent); and (4) Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Arai patent in view of U.S.P.N. 6,688,666 to Neale (hereinafter the Neale patent).

The Examiner has noted that claims 3-11 and 13-20 would be allowable if rewritten or amended to overcome the rejections thereto and/or if rewritten in independent form to include all of the limitations of the base claims and any intervening claims from which they depend.

#### ***Objections to the Drawings and Claims 6, 11, 16, 19, and 20***

The Applicants respectfully submit that the amendments above obviate the objections to the drawings and claims 6, 11, 16, 19, and 20.

#### ***Rejection of Claims 1 and 2 Under 35 U.S.C. § 102(b)***

The Examiner is rejecting independent claim 1 and dependent claim 2 under 35 U.S.C. § 102(b) as being anticipated by the Arai patent. The Applicants have amended

independent claim 1 to include a track assembly for supporting the seat cushion assembly and the seat back assembly in vehicle and for allowing movement of the seat cushion assembly and the seat back assembly between a use position and a stadium position without disengaging the seat back assembly from the track assembly. The Arai patent fails to disclose that the seat back assembly is movable to a stadium position without disengaging the seat back assembly from the track assembly. Rather, as shown in Figure 4 and noted in the specification at column 6, line 60, the Arai patent disengages a lower-end roller 13 from a rail 3 through an opening 23. This disengagement of the seat back assembly from the rail (track) is required in order for the Arai patent to move the seat back into a stadium position. Consequently, the Arai patent fails to disclose each limitation recited in independent claim 1. For this reason, the Applicants respectfully submit that independent claim 1 and dependent claim 2 which depends therefrom includes all of the limitations thereof, is patentable and nonobvious over the Arai patent.

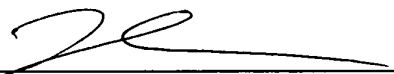
***Rejection of Claim 12 under 35 U.S.C. § 103(a)***

The Applicants have amended independent claim 12 to include limitations similar to those recited above in independent claim 1 with respect to moving the seat back assembly to the stadium position without disengaging the seat back assembly from the track assembly. The Applicants respectfully submit that the Arai patent and the Neale patent fail to disclose these features. As described above, the Arai patent requires that the seat back assembly be disengaged from the track in order to move the seat back assembly to the stadium seat position. The Neale patent fails to make up for this deficiency of the Arai patent. Consequently, independent claim 12 is patentable and nonobvious over the Arai and Neale patents.

***Conclusion***

For the foregoing reasons, the Applicants respectfully submit that each rejection has been fully replied to and traversed and that the case is in condition to pass to issue. The Examiner is respectfully requested to pass this case to issue. The Examiner is invited to call the undersigned if it would further prosecution of this case to issue.

Respectfully submitted,  
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